

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Elections and Civic Affairs, to which was referred Senate Bill No. 98, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 17, delete lines 22 through 24, begin a new line blocked left
- 2 and insert:
- 3 **"due to the death of an officeholder.**
- 4 **Sec. 2. As used in this chapter, "officeholder" refers to a person**
- 5 **who hold a state office, legislative office, local office, or school**
- 6 **board office (as defined in IC 3-5-2)."**
- 7 Page 17, line 37, delete "or township" and insert **"township, or**
- 8 **school corporation".**
- 9 Page 18, line 25, delete "or township" and insert **"township, or**
- 10 **school corporation".**
- 11 Page 18, after line 39, begin a new paragraph and insert:
- 12 "SECTION 29. IC 20-3-11-3.1 IS AMENDED TO READ AS
- 13 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3.1. (a) The board of
- 14 school commissioners consists of seven (7) members. Each member
- 15 shall be elected on a nonpartisan basis in primary elections held in the
- 16 county as specified in this section. Five (5) of the members shall be
- 17 elected from the school board districts in which they reside and two (2)
- 18 members shall be elected at large. Not more than two (2) of the
- 19 members who serve on the board may reside in the same school board
- 20 district. When a candidate runs for one (1) of the district positions on

the board, only eligible voters residing in the candidate's district may vote for that candidate. When a person is a candidate for one (1) of the at-large positions, eligible voters from all the districts may vote for that candidate. When a candidate files to run for a position on the board, the candidate must specify whether the candidate is running for a district or an at-large position. All members elected to the board serve four (4) year terms. A candidate who runs for a district or an at-large position wins if the candidate receives the greatest number of votes of all the candidates against whom the candidate runs. Districts shall be established within the school corporation by the state board of education. The districts shall be drawn on the basis of precinct lines and as nearly as practicable, of equal population with the population of the largest not to exceed the population of the smallest by more than five percent (5%). District lines must not cross precinct lines. The state board of education shall establish balloting procedures for the election under IC 3 and other procedures required to implement this section.

(b) Each member of the board of school commissioners serves under section 2 of this chapter. **In accordance with subsection (e),** the vacancies in the board of school commissioners shall be filled temporarily by the school board as soon as practicable after the vacancy occurs. The member chosen by the board to fill a vacancy holds office until the member's successor is elected and qualified. The successor shall be elected at the next regular school board election occurring after the date on which the vacancy occurs, at which time the vacancy shall be filled for the remainder of the term.

(c) Persons elected to serve on the board begin their terms on July 1 of the year of their election.

(d) Notwithstanding any law to the contrary, voters shall cast their votes for school board candidates by voting machine or paper ballot.

(e) If a vacancy in the board of school commissioners exists because of the death of a board member, the remaining members of the board shall meet and select an individual to fill the vacancy in accordance with subsection (b) after the secretary of the board receives the notice of the death under IC 5-8-6.

SECTION 30. IC 20-5-3-3.5 IS ADDED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 3.5. (a) This section applies to a school corporation subject to section 3 of this chapter.**

(b) The definitions in IC 3-5-2 apply to this section.

(c) If a vacancy in a school board office exists because of the death of a school board member, the remaining members of the governing body shall meet and select an individual to fill the

1 **vacancy after the secretary of the governing body receives notice**
2 **of the death under IC 5-8-6, and in accordance with section 3 of**
3 **this chapter."**

4 Renumber all SECTIONS consecutively.
 (Reference is to SB 98 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 10, Nays 0.

Senator Lawson C, Chairperson